



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Larry Williams et al.

2009 JAN 15 PM 4:31

Title: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

Docket No.: 2604.002US6
Filed: July 29, 2003
Customer No.: 21186

Serial No.: 10/628,353
Patent No.: 6,807,516
Group Art Unit: 2857
Issued: October 19, 2004

RECEIVED

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OFFICE OF PETITIONS

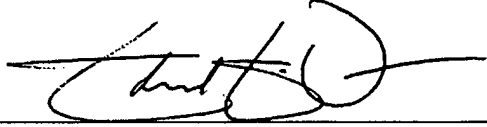
MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ Petition to Reinstate Patent Under 37 C.F.R. 1.378(c) (1 pg.)
- ☒ Authorization to charge Deposit Account No. 19-0743 in the amount of \$980.00 and \$130.00 for the required maintenance fee.
- ☒ Authorization to charge Deposit Account No. 19-0743 in the amount of \$1,640.00 for the surcharge set forth in 37 C.F.R. § 1.20(i)(2).
- ☒ Signed Statement (10 pgs)
- ☒ Return Postcard

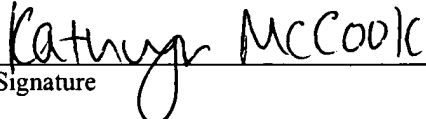
If not provided in a separate paper filed herewith, please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
Customer No.: 21186

By: / 
Eduardo E. Drake
Reg. No. 40,594

CERTIFICATE UNDER 37.CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9th day of January, 2009.

Kathryn McCook
Name


Signature

01/16/2009 DALLEN 00000005 190743 6807516

01 FC:1551 980.00 DA
02 FC:1558 1640.00 DA

S/N 10/628,353

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant: Larry Williams et al.

Patent No.: 6,807,516

Serial No.: 10/628,353

Group Art Unit: 2857

Filed: July 29, 2003

Docket: 2604.002US6

Issued: October 19, 2004

Title: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

PETITION TO REINSTATE PATENT UNDER 37 C.F.R. 1.378(c)

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OFFICE OF PETITIONS

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a petition under 37 C.F.R. § 1.378(c) to accept an unintentionally delayed payment of a maintenance fee in an expired patent and to reinstate the patent. Patentee hereby petitions the commissioner to accept an unintentionally delayed payment of the first maintenance fee for US Patent No. 6,807,516 under 37 C.F.R. § 1.378(c) and petitions for reinstatement of the patent. Included with this petition is authorization to charge Deposit Account No. 19-0743 the required maintenance fee set forth in 37 C.F.R. § 1.20(e) of \$980.00; the surcharge set forth in 37 C.F.R. § 1.20(h) of \$130.00; the surcharge set forth in 37 C.F.R. § 1.20(i)(2) of \$1,640.00; and a statement that the delay was unintentional.

This petition is being filed promptly after Patentee was notified of, or otherwise became aware of, the expiration of the patent.


If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 349-9593

Date January 9, 2009

By


Eduardo E Drake
Reg. No. 40,594

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, and is addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9th day of January 2009.

Kathryn McCook
Name


Signature



SN 10/628,353

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Larry Williams et al. Patent No.: 6,807,516
Serial No.: 10/628,353 Group Art Unit: 2857
Filed: July 29, 2003 Docket: 2604.002US6
Issued: October 19, 2004
Title: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

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JAN 23 2009

OFFICE OF PETITIONSSTATEMENT BY JIMMIE WILLIAMS OF BURNHAM BROWN

This statement is being submitted along with a petition under 37 C.F.R. 1.378(c) requesting acceptance of an unintentionally delayed payment of a maintenance fee for U.S. Patent 6,807,516 (the Patent) and reinstatement of the Patent.

I, do hereby declare the following:

1. I am an attorney at the law firm of Burnham Brown which serves as General Counsel for A.L. Air Data, the assignee of the above-identified U.S. Patent, and which service includes overseeing their patent matters.
2. I received an email from the law firm of Schwegman Lundberg & Woessner, P.A. (Exhibit A), whom A.L. Air Data engaged to handle patent matters, stating that a maintenance fee was due for the above-identified patent on April 19, 2008.
3. I communicated in a subsequent reply email on December 5, 2007 to the Schwegman firm that "[w]e will work to calendar this payment accordingly."
4. I further communicated in another email on December 6, 2007 (Exhibit C) to the Schwegman firm that "AL Air Data will be making all of the payments for the maintenance fees" and that "we would like you [Schwegman firm] to continue to provide us with the requisite notice, as to when these fees are due, so that we don't miss any payment dates."
5. On January 2, 2009, I received an email (Exhibit D) from the Schwegman firm enclosing a Notice from the Patent Office that the Patent had expired for failure to pay the maintenance fee.
6. I sent a reply (Exhibit E) to the Schwegman firm on January 2, 2009 inquiring about the Notice and subsequently spoke via telephone to Schwegman attorney Eduardo Drake on Saturday, January 3, 2009 instructing him to prepare and file a Petition to Reinstate the Patent.
7. The entire delay in making timely payment of the maintenance fee due was unintentional.
8. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by

STATEMENT BY JIMMIE WILLIAMS

Serial Number: 10/628,353

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Title: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

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fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name


Jimmie Williams

Date January 9, 2009

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JAN 23 2009

STATEMENT BY JIMMIE WILLIAMS

Serial Number: 10/628,353

Filing Date: July 29, 2003

Title: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

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Dkt: 2604.002US6

OFFICE OF PETITIONS

Exhibit A

Notification from SLW of Fee Due Date for U.S. Patent 6,807,516

---Original Message---

From: Jennifer A. Kathman [mailto:jhollingsworth@slwkclient.com]

Sent: Friday, November 30, 2007 1:52 PM

To: Jimmie Williams; Jimmie Williams

Cc: Kimberly Brown; Eduardo Drake

Subject: Ref: 2604.000001 / A.L. Air Data, Inc. : 2604.000001 [R=93e44ba204963a0bff45af2af017706e]

PLEASE SEE ATTACHED REPORT FOR MATTER DETAILS [appended below]

Dear Mr. [Jimmie] Williams and Mr. [Larry] Williams:

The attached report identifies a matter which has a maintenance fee due APRIL 19, 2008. The cost for us to make payment on your behalf will be about \$625, at the small entity rate or \$1,090.00 at the large entity rate.

Per your latest correspondence with me it is my understanding that you are now a large entity. Please note that the USPTO currently lists this case as a small entity therefore a large entity assertion form will need to be filed to change this from small to large.

Please review this report at your earliest opportunity. If you have decided not to pursue this matter by not paying the fee or if you have arranged for a third party to make payment, please inform me of your payment decision as soon as possible. If I have not heard from you to the contrary on or before JANUARY 1, 2007 the fee will be paid in due course and you will be invoiced.

PLEASE CONFIRM RECEIPT OF THIS EMAIL. If you do not confirm receipt of this email we will send you a certified letter including the Tax Maintenance Report and this email. We will inform you that the fee has been paid by the specified date listed above. YOU WILL BE CHARGED FOR THE CERTIFIED LETTER, we strongly recommend that you confirm receipt of this email.

If you have any questions feel free to call me at 612-236-9923 or reply by email. Thank you,

Jenny Hollingsworth
Annuity/Maintenance Fee Specialist
Schwegman Lundberg & Woessner, P.A.
(612)236-9923

This electronic transmission contains information which is confidential and/or privileged. The information is intended for use only by the individual or entity named above. If you are not the intended recipient (or the employee or agent responsible for delivering this information to the intended recipient), you are hereby notified that any use, dissemination, distribution, or copying of this communication is prohibited. If you have received this information in error, please notify me immediately by telephone at 612-373-6900 or by electronic mail and delete all copies of the transmission. Thank you.

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JAN 23 2009

STATEMENT BY JIMMIE WILLIAMS

Serial Number: 10/628,353

Filing Date: July 29, 2003

Title: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

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Dkt: 2604.002US6

OFFICE OF PETITIONS

Schwegman, Lundberg & Woessner, P.A.
1600 TCF Tower, 121 South Eighth Street, Minneapolis, MN 55402
Telephone: (612) 373-6900 Fax: (612) 339-3061 Web site: www.slwip.com

This electronic transmission contains information which is confidential and/or privileged. The information is intended for use only by the individual or entity named above. If you are not the intended recipient (or the employee or agent responsible for delivering this information to the intended recipient), you are hereby notified that any use, dissemination, distribution, or copying of this communication is prohibited. If you have received this information in error, please notify me immediately by telephone at 612-373-6900 or by electronic mail and delete all copies of the transmission. Thank you.

Schwegman, Lundberg & Woessner, P.A.
1600 TCF Tower, 121 South Eighth Street, Minneapolis, MN 55402
Telephone: (612) 373-6900 Fax: (612) 339-3061 Web site: www.slwip.com
Jenny Hollingsworth Kathman
Annuity/Maintenance Fee Specialist
Schwegman Lundberg & Woessner, P.A.
(612)236-9923

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1600 TCF Tower, 121 South Eighth Street, Minneapolis, MN 55402
Telephone: (612) 373-6900 Fax: (612) 339-3061 Web site: www.slwip.com
The following documents are being referenced in this email:
2604 APRIL 2008 TMR.pdf

Please click on the following URL to retrieve the attachments.

If the link is not activated copy and then paste the URL in a new browser window.

<https://www.foundationip.com/foundationIP/getAttachments.do?actionCode=1&enc=b98ec08dec57c892&encCli=e1c37a0f9fac6dd5>

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STATEMENT BY JIMMIE WILLIAMS

Serial Number: 10/628,353

Filing Date: July 29, 2003

Title: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

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Dkt: 2604.002US6

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OFFICE OF PETITIONS

Attached Report Referenced in Above Email

ESTE 01XJVO7 SM TAX MAINTENANCE REVIEW REPORT 07A101A PAGE 1
 TIME 07:17:49 FROM 01AJP2008 TO 30ADE2008 2604

CLIENT NAME: SCHWEMAN, LUMBERG & WORSNER

If you desire to pay or abandon all the cases on
 this page, please mark by circling accordingly:

PAY ALL

ABANDON ALL

CASE
 NUMBER

YOUR
 REFERENCE

2604-002

PRIORITY NO.: 97/00838303

OWNER: A.L. AIR DATA, INC.

TITLE: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

INVENTOR: WILLIAMS LARRY

YOUNG MICHAEL F

JONES HUNTER V

COUNTRY	STATUS SUB CASE	CASE TYPE	PATENT/ TAX DATE/ APPLN NO TAX YEAR	TAX INSTRUCTION COST
USA	CONT 6	CON	6807516 19APR08	US \$ 625 PAY DRCD

CLIENT/DIV TOTAL

625

Exhibit B

Reply to Notification from SLW of Fee Due Date for U.S. Patent 6,807,516

----- Original Message -----

From: jwilliams@BurnhamBrown.com

To: Jennifer Kathman; Jimmie Williams

Cc: Kimberly Brown; datawave@earthlink.net

Sent: Dec 5, 2007 2:55:14 PM

Subject: RE: 2604.000001 / A.L. Air Data, Inc. : 2604.000001

Dear Ms. Kathman:

It was my understanding, from our last e-mail exchange, that your firm was going to work to change all USPTO designations for our patents from a "small entity" to the "large entity" status.

We will work to calendar this payment accordingly. Please reply to this e-mail and confirm that the necessary work is being presently performed, so that all of our patents designations will be changed to the "large entity" status.

Thank you,

Jimmie Williams

Burnham Brown

P.O. Box 119

Oakland, CA 94604

Phone: 510.444.6800

Direct Line: 510.835.6826

Fax: 510.835.6666

<http://www.burnhambrown.com>

This E-mail message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply E-mail and destroy all copies of the original message.

STATEMENT BY JIMMIE WILLIAMS

Serial Number: 10/628,353

Filing Date: July 29, 2003

Title: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

Page 8

Dkt: 2604.002US6

Exhibit C

Further Reply to Notification from SLW of Fee Due Date for U.S. Patent 6,807,516

----- Original Message -----

From: jwilliams@BurnhamBrown.com

To: Eduardo Drake

Cc: datawave@earthlink.net; Kimberly Brown

Sent: Dec 6, 2007 2:05:43 PM

Subject: RE: RE: 2604.000001 / A.L. Air Data, Inc. : 2604.000001

Thank you for both e-mail messages. Yes, AL Air Data will be making all of the payments for the maintenance fees. However, we would like you to continue to provide us with the requisite notice, as to when these fees are due, so that we don't miss any payment dates.

Thank you,

Jimmie L. Williams

-----Original Message-----

From: Eduardo E. Drake [<mailto:Eduardo@slwkclient.com>]

Sent: Thursday, December 06, 2007 11:56 AM

To: Jimmie Williams; Jennifer Kathman; Jimmie Williams

Cc: datawave@earthlink.net; Kimberly Brown

Subject: Re: RE: 2604.000001 / A.L. Air Data, Inc. : 2604.000001

[R=93e44ba204963a0bff45af2af017706e]

Thanks Jimmie. The work of redesignating the Air Data patents to large entity is underway. I expect that we'll file the papers next week.

Thanks again,

Eduardo

STATEMENT BY JIMMIE WILLIAMS

Serial Number: 10/628,353

Filing Date: July 29, 2003

Title: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

Page 9

Dkt: 2604.002US6

Exhibit D

Email Notification from SLW Re Expiration of U.S. Patent 6,807,516

From: Robert Stanz

To: Jimmie Williams

Cc: Jimmie Williams; rstanz@slwkclient.com

Sent: Fri Jan 02 08:04:16 2009

Subject: A.L. Air Data, Inc.: / SLW Ref: 2604.002US6 / Report Out: Documents Received from the USPTO [R=310ece985c7a8df427a60bd186457b52]

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.

Eduardo E. Drake (612) 349-9593 edrake@slwip.com

Katy L. McCook (612) 371-2189 kmccook@slwip.com

Re: A.L. Air Data, Inc. - SLW Ref. No. 2604.002US6

U.S. Patent Application Serial No.: 10/628,353

Title: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

The following represents new activity on the above mentioned matter.

INFORMATION BEING REPORTED: Documents received from the U.S. Patent and Trademark Office.

Date Mailed

November 17, 2008

Document

Notice of Patent Expiration Received

ACTION REQUIRED: None at this time.

ADDITIONAL NOTES: If you have any questions or comments, please contact Eduardo E. Drake at (612) 349-9593 or Katy L. McCook at (612) 371-2189.

Reported By:

Robert P. Stanz

Attachment

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.

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STATEMENT BY JIMMIE WILLIAMS

Serial Number: 10/628,353

Filing Date: July 29, 2003

Title: LAMP MONITORING AND CONTROL SYSTEM AND METHOD

Page 10
Dkt: 2604.002US6**Attachment Referenced in Above Email**

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-9450
www.uspto.govPAYOR NUMBER
21186P75H
SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. BOX 2938
MINNEAPOLIS MN 55402

DATE PRINTED

11/17/08

NOTICE OF PATENT EXPIRATION

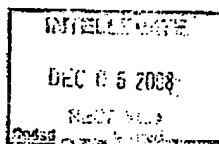
According to the records of the U.S. Patent and Trademark Office (USPTO), payment of the maintenance fee for the patent(s) listed below has not been received timely prior to the end of the six-month grace period in accordance with 37 CFR 1.362(e). THE PATENT(S) LISTED BELOW HAS THEREFORE EXPIRED AS OF THE END OF THE GRACE PERIOD. 35 U.S.C. 41(b). Notice of the expiration will be published in the USPTO Official Gazette.

Expired patents may be reinstated in accordance with 37 CFR 1.378 if upon petition, the maintenance fee and the surcharge set forth in 37 CFR 1.20(l) are paid, AND the delay in payment of the maintenance fee is shown to the satisfaction of the Director to have been unavoidable or unintentional. 35 U.S.C. 41(c)(1).

If the Director accepts payment of the maintenance fee and surcharge upon petition under 37 CFR 1.378, the patent shall be considered as not having expired but would be subject to the intervening rights and conditions set forth in 35 U.S.C. 41(c)(2).

For instructions on filing a petition under 37 CFR 1.378 to reinstate an expired patent, customers should call the Office of Petitions Help Desk at 571-272-3282 or refer to the USPTO Web site at www.uspto.gov/web/offices/pac/dapp/petitionspractice.html. The USPTO also permits reinstatement under 37 CFR 1.378(c) by electronic petition (e-petition) using EFS-Web; e-petitions may be automatically granted if all the eligibility requirements are met. For further information on filing an e-petition, please call the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100 or refer to the EBC's e-petition guide at www.uspto.gov/ebc/portal/cfs/petition_quickstart.pdf.

PATENT NUMBER	U.S. APPLICATION NUMBER	PATENT ISSUE DATE	APPLICATION FILING DATE	EXPIRATION DATE	ATTORNEY DOCKET NUMBER
6807516	10628353	10/19/04	07/29/03	10/19/08	2604.002US6

Schwegman Lundberg
& Woessner P.A.

DEC 05 2008

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NOTE: This notice was automatically generated based on the amount of time that elapsed since the date a patent was granted. It is possible that the patent term may have ended or been shortened due to a terminal disclaimer that was filed in the application. Also, for any patent that issued from an application filed on or after June 8, 1995 containing a specific reference to an earlier filed application or applications under 35 U.S.C. 120, 121, or 365(c), the patent term ends 20 years from the date on which the earliest such application was filed, unless the term was adjusted or extended under 35 U.S.C. 154 or 156.

Exhibit E

Reply Email Re Expiration of U.S. Patent 6,807,516

-----Original Message-----

From: Jimmie Williams [mailto:jwilliams@BurnhamBrown.com]

Sent: Saturday, January 03, 2009 12:57 PM

To: Robert Stanz; Eduardo Drake; Katy McCook

Subject: RE: A.L. Air Data, Inc.: / SLW Ref: 2604.002US6 / Report Out:

Documents Received from the USPTO [R=310ece985c7a8df427a60bd186457b52]

Importance: High

Eduardo,

I have look through my e-mail system, and I don't believe I have ever received notice of this maintenance fee being due, or that the fee payment was needed to avoid any patent expiration. Please provide me with a copy of the e-mail that shows such notice. We also need to develop a strategy that allows us to file a petition for reinstatement ASAP. Please contact me ASAP, so that we can discuss this issue.

Thank you,
Jimmie